

Sirica to Cut Watergate Sentences

By Timothy S. Robinson
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U.S. District Chief Judge John J. Sirica said yesterday that he would reduce the prison sentences of five of the original Watergate defendants.

"It was never my intention, and again I repeat with emphasis, that the maximum terms of the provisional sentences should become the terms of the final sentences," Sirica said in a prepared statement. "In this case, such a disposition would not only be unwarranted but unjust.

Sirica called the five men—E. Howard Hunt Jr., Virgilio Gonzales, Eugenio Martinez, Frank Sturgis and Bernard Barker — into his courtroom yesterday to read the statement to them. All five have been incarcerated in federal prisons since last March when Sirica imposed provisional sentences of up to 35 years in the case of each man.

All five men have filed motions recently asking that they be allowed to change their guilty pleas to innocent. Hunt has asked in addition that charges against him be dismissed altogether.

Sirica said yesterday that he was reading the statement concerning the sentences to the men because of "what appears to be a widespread misunderstanding" about the possible lengths of their prison terms.

"It has been widely reported that these men have been finally sentenced to prison terms of 30, 40 or 55 years," Sirica said. He did not say where these reports had been made.

However, as recently as last week before the Senate Watergate committee, defendant Hunt said that he faced a prison sentence "that may keep me confined for the rest of my life."

When he levied the sentences, Sirica said that the final sentences he eventually would impose would be based on whether the men gave their "full cooperation" to ongoing Watergate investigations.

All the men have done so, and at least two of them—Barker and Gonzales — face possible future indictments as a result of a grand jury probe into the break-in of Pentagon papers defendant Daniel Ellsberg's psychiatrist's office.

The statute under which

Sirica imposed the provisional sentences provides only that the maximum sentence be given at that time.

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Sirica said that if he rules against the defendants and their motions to change their pleas, their final sentences will be imposed "in accord with (a) sense of justice and in accord with the relevant principles of law."

"And it will be perfectly apparent at that time, if that time comes, that such disposition was predicated as it should be, upon fairness, compassion, understanding and justice," the judge said.

Sirica's sentencing of the Watergate conspirators was criticized last July by the American Civil Liberties Union.

"While Judge Sirica's in-

terest in obtaining the full story is laudable, nevertheless the ACLU believes the application of pressures, express or implied, upon a convicted defendant facing sentencing raises serious civil liberties problems," the ACLU said in a 26-page position paper.

Sirica yesterday also allowed the defendants additional time to write affidavits in support of their motions to change their pleas.

He ordered the affidavits, now due next week, for the men to spell out their claims that they were coerced into entering their guilty pleas as well as any other circumstances in which those pleas were entered.



Associated Press

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Maria Elena Moffett, daughter of convicted Watergate
conspirator Bernard Barker, talks with newsmen.